

MINUTES

Tuesday, August 28, 2007

Mr. Warren Pearce, Chairperson, called the Tuesday, August 28, 2007 meeting of the Community Planning Commission to order at 7:30p.m. in Room 10 of the North Reading Town Hall, 235 North Street, North Reading, MA.

MEMBERS

PRESENT:

Warren Pearce, Chairperson
Patricia Romeo, Vice Chairperson
Christopher B. Hayden, Clerk
Neal Rooney

STAFF

PRESENT:

Susan Murphy, Assistant Planning Administrator
Debra Savarese, Administrative Assistant

Minutes

Mr. Hayden moved, seconded by Mrs. Romeo and voted 3-0: (Mr. Rooney absent)

that the Community Planning Commission vote to accept the Executive Session minutes of July 31, 2007 as written.

Mr. Hayden moved, seconded by Mrs. Romeo and voted 3-0: (Mr. Rooney absent)

that the Community Planning Commission vote to accept the minutes of July 31, 2007 as written.

Mr. Hayden moved, seconded by Mrs. Romeo and voted 3-0: (Mr. Rooney absent)

that the Community Planning Commission vote to accept the minutes of August 21, 2007 as written.

Mr. Rooney arrived 7:32PM.

Holt Lane – Bond Reduction

Paul Cerrone stated that he would like to have a bond reduction of \$3,500.00. He needs the money to pay for the construction of the septic system and to show good faith to the contractor to rebuild the detention pond.

Mr. Pearce stated that the Community Planning Commission has not received a letter recommending that the bond be reduced. Mr. Giangrande did state his concern in regard to the detention pond being filled, without the new one being built. He wanted to know why the detention pond was filled.

Paul Cerrone stated that the pond was filled and was to be moved to another area on the lot to make the lot more appealing for sale.

Mr. Hayden stated that the purpose of the bond is to ensure that the project is completed. The amount of the bond at this time is insufficient.

Mr. Pearce stated that it is the Community Planning Commission's responsibility to the town to ensure that projects are completed.

Mrs. Romeo stated that the bond reduction requests for this project far outweigh any other projects request for reducing their bonds. The funds are held so that if the project is not completed by the applicant the town would be able to complete the project without use of town funds.

West Village Drive – Bond Reduction

Mr. Hayden moved, seconded by Mrs. Romeo and voted 4-0:

that the Community Planning Commission vote to accept the August 15, 2007 report from Design Consultants, Inc. and that the amount of \$154,546.70 be established as sufficient to ensure the completion of the West Village Drive Subdivision.

235 Main Street – Endorse Plans

Mr. Pearce recused himself.

Mr. Hayden moved, seconded by Mr. Rooney and voted 3-0:

that the Community Planning Commission vote to endorse the plans entitled for 235 Main Street, Proposed Restaurant Addition, Plan Layout, North Reading, Massachusetts; dated April 27, 2007; drawn by Premier Development, Inc.

17 Cottage Street – Determination of Access – P.H. 8:00PM

Mr. Hayden read the public hearing notice into the record.

William Smith of Smith Sons Plumbing & Heating stated he submitted a letter to the Planning Department on August 27, 2007 to withdraw his application without prejudice.

Mr. Hayden moved, seconded by Mr. Rooney and voted 4-0:

that the Community Planning Commission vote to GRANT the applicant's request of August 27, 2007 to withdraw the Determination of Access for 17 Cottage Street without prejudice.

Zoning Board of Appeals

17 Woodland Drive - On the petition of Hugo Garlock for a variance for an attached garage per the setback requirements.

The Community Planning Commission supports the application if abutters do not object.

26 Pine Ridge Road – On the petition of Donna Carriker for a home occupation special permit for data and information technology services.

The Community Planning Commission supports the application subject to the following condition: No customers.

59-61 Adam Street – Definitive Subdivision – cont. P.H. 8:30PM

Peter Ogren of Hayes Engineering stated that the North Reading Town Engineer requested that an analysis be done to look at the erosion velocities. He met with Michael Soraghan, Town Engineer and Dave Giangrande of Design Consultants. It was agreed that a couple of critical criteria be looked at. He has been saying all along that they are talking about extremely small watersheds and not much activity and he did not think that erosion was a great concern and has also said that if there is some erosion they can go back and fix it. They did recommend the enviro-mat in all of the channel linings, not that this was the final channel lining, but that is so that it does not erode during the period of time that it will grow. He thought they had come to terms with everything. Michael Soraghan had stated to him that he concurred with conclusions of the report, the only reservation may have been what the resistance to erosion might be if the enviro-mat on the basic underline, before grass started to take. He told Michael Soraghan that this may be a concern, but if you have a little blow-up it can always be repaired.

The submitted highway design criteria was completed and Mass. Highway was referenced and included in the back of the report. It indicated that for slopes greater than 10%, 4' per second would be a reasonable velocity. It was looked at in the 10 year storm, even though they presented numbers even greater. If you look at the average velocity it is true that number one exceeded it, but by a very nominal amount. (4.2 ft. per second) and we are looking at the absolute steepest proportion of the channel. Section two is 3.9 and section three was 5.2 and they thought that this was a reasonable exceedance of the 4' per second recommendation and recommended that this 30' of channel be lined. His conclusion was that the amount of rip-rap that was recommended in the report was sufficient.

Mrs. Murphy stated that the town engineer has requested Design Consultant's analysis.

Mr. Pearce stated that Review #4 from Design Consultants, 1.states that the submitted analysis done by Hayes Engineering shows that this maximum permissible velocity is exceeded in the 10 year storm at all three of the sections analyzed.

Peter Ogren stated that the report from Hayes Engineering does not say this. The report states that if it is in a 10 year storm, its 3.9, that is not above 4. He stated that it is slightly above 4 at a 4.2. The statement from Design Consultants is incorrect.

Mr. Pearce stated that there are a couple of areas that could be rip-rapped. It will require less maintenance and should be done.

Peter Ogren stated that they already agreed that any place that exceeds a 5% grade would be done, as long as it does not lead to the concern that they do not have the grass channel.

Mr. Pearce stated that there is a memo from the Fire Department stating that they have agreed to put the dry hydrant in, but the Town of Danvers would not send a letter stating that they do not object to the hydrant. The Fire Department would not make Mr. Rowe install a dry hydrant or any other system other than a fire alarm system.

Mrs. Murphy stated that the Planning Administrator did speak to the Assistant Town Administrator of Danvers and was told that the Town of Danvers Water Department probably thought that they did not have the authority to agree to the dry hydrant and therefore stated that they would not send a letter. There is a process which they are working on and the Town Administrator should be sending a letter.

Dana Rowe asked if this cannot be done, what his alternative is.

Mrs. Murphy stated that the paragraph currently states that “if a dry hydrant cannot be installed due to the objections of the Town of Danvers or inability to receive Conservation Commission approval, plans for alternative means of fire suppression must be approved in writing by the Community Planning Commission.”

Dana Rowe stated that if he cannot place a dry hydrant, then he only wants to do smoke detectors.

Mrs. Murphy stated that it has to be a dry hydrant. If there is a fire and house burns, it will come back to the Community Planning Commission giving approval without a hydrant.

Mr. Pearce asked if a fire truck would be able to get close enough to draw from the pond if needed. Possibly a roadway to the pond for the fire truck could be constructed would be another way to get to the water.

The Community Planning Commission’s consensus is that there will be no waiver for the hydrant.

Mr. Pearce stated that they should have the letter from the Town of Danvers.

Mrs. Murphy stated that the Community Planning Commission can approve the Conditional Approval with dry hydrants. If this changes, they can come back for a modification.

WAIVERS

- A. Section 350-13.H.3.i to allow driveways within drain easements is GRANTED.
- B. Section 350-14.B.2 to allow a minimum roadway centerline radii less than 150 feet is GRANTED.

- C. Section 350-14.B.3 to allow a tangent less than 150 feet separating reverse curves is GRANTED.
- D. Section 350-14.B.5 to allow roundings at street intersection of less than 30 feet is GRANTED.
- E. Section 350-14.C.1 to allow a width of proposed road improvement less than 50 feet is GRANTED.
- F. Section 350-15A. to allow driveways within 30 feet of each other is GRANTED
- G. Section 350-20 to allow for hydrants more than every 500 running feet apart, provided that written approval for a dry hydrant in Swan Pond is received from the Town of Danvers, is GRANTED
- H. Section 350-24.B to allow a roadway width less than 28 feet is GRANTED.
- I. Section 350-25.C(4)b.4 to allow for no catch basins on some roadway segments is GRANTED.
- J. Section 350-26 to allow no sidewalks is GRANTED.
- K. Section 350-27 to allow for no granite curb or granite curb inlet is GRANTED.
- L. Section 350-29 to allow for no planting of street trees is GRANTED.
- M. Section 350-30 to allow for offset granite monuments is GRANTED.
- N. Typical Cross Section Schedule A, to allow for no normal crown in the roadway is GRANTED.
- O. Section 350-13.H(3)h for common driveways to be reviewed in accordance with paragraph 8.b of this Conditional Approval is GRANTED.

Mr. Hayden moved, seconded by Mrs. Romeo and voted 4-0:

that the Community Planning Commission vote to approve the plan entitled "Index Plan, Dogwood Lane, North Reading, Massachusetts; dated 12/27/06; revised 4/4/07, 8/20/07; drawn by Hayes Engineering, Inc. Subject to the term and conditions of the Certificate of Conditional Approval dated 8/28/07, as amended this evening.

59-61 Adam Street – Determination of Access – cont. P.H. 8:30PM

Mr. Hayden moved, seconded by Mr. Rooney and voted 4-0:

that the Community Planning Commission vote to GRANT the applicant's request of August 28, 2007 to withdraw the Determination of Access for 59-61 Adam Street without prejudice.

33 Bow Street – Definitive Subdivision – cont. P.H. 9:00PM

Jesse Blanchette of Griffin Engineering stated they have taken care of all the issues with Design Consultants, Inc. and in summary, the provisions that were made are as follows:

- The roadway was extended 25' to provide more building area for lot 3, mitigating any zoning issues.
- The sidewalk was extended.
- A hydrant was added at the intersection of Bow Street and Haverhill Street, as recommended by the Fire Department.
- The school building was added to the plan as requested by the Community Planning Commission.
- A 10' no cut zone and screening was also added.
- The underground infiltration field was enlarged to accommodate the volume request; they are not discharging greater volume than what is previously generated.
- Signage will be placed on Haverhill Street, approximately 325' from the intersection to alert motorist.
- A 30' wide drainage easement as recommended by Design Consultants, as well as extending the drainage pipe down to the wetlands to mitigate any sort of erosion that may occur.
- A guardrail, 3:1 Slope and retaining wall have been added.

Mrs. Romeo asked what the plans were for the existing house.

Jesse Blanchette stated that they are going to do a structural analysis and if it is possible to move the house, they will do so.

Mr. Pearce stated that the Community Planning Commission will ask for a benefit of review when the decision is made. Ryer's Store was recently moved to another location. It would be a benefit to ask the owner of Ryer's who he hired to move the store.

Mrs. Romeo stated that the privacy fence and "no cut" zone should go the length of the lot line, past the school.

Jesse Blanchette stated that a fence and "no cut" zone will be provided along the lot line.

Mr. Pearce closed the public hearing.

Mr. Hayden moved, seconded by Mr. Rooney and voted 4-0:

that the Community Planning Commission vote to GRANT the requested extension of time in which to render a decision of the 33 Bow Street – Definitive Subdivision Plan until September 21, 2007.

ADJOURNMENT AT 11:20PM

Respectfully submitted,

Christopher B. Hayden, Clerk